

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

KAREN K. STARRY,  
Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,  
Defendant.

No. 06 CV 3037-DEO

ORDER

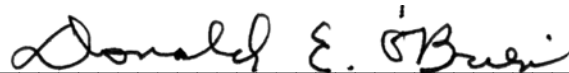
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Karen Starry appealed the findings of the Commissioner of Social Security that she was not entitled to supplemental security income under Title XVI of the Social Security Act. During the hearing before this Court (Minutes at Docket No. 15), counsel for the defendant stated that the defendant would attempt to have the Appeals Council review the denial of benefits. This Court was recently made aware that the Appeals Council has refused to review the denial of benefits. As defendant has urged, this Court is persuaded that this case must now be remanded to the ALJ for further findings.

**THEREFORE, IT IS HEREBY ORDERED** that the case is hereby reversed and remanded pursuant to Sentence Four of 42 U.S.C. § 406(g) to the Commissioner of Social Security.

The ALJ is to first reevaluate the plaintiff's mental impairment and obtain evidence from a medical expert regarding the nature and severity of plaintiff's mental impairment. The ALJ shall also reevaluate whether plaintiff's past work meets the regulatory definition of past relevant work and, if not, shall proceed to step five of the sequential evaluation process. Also, the ALJ is directed to make a comprehensive, specific, individualized assessment of plaintiff's physical residual functional capacity. Finally, the ALJ is to consider plaintiff's other impairments and limitations including, but not limited to, her obesity.

**IT IS SO ORDERED** this 7th day of May, 2007.

A handwritten signature in cursive script, reading "Donald E. O'Brien", is written over a horizontal line.

Donald E. O'Brien, Senior Judge  
United States District Court  
Northern District of Iowa